UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/51/23 (Part II)
15 August 1996

ORIGINAL: ENGLISH

Fifty-first session
Item 19 of the provisional agenda*

REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES**

(covering its work during 1996)

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CHAPTERS III AND IV

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* A/51/150.

** This document contains chapters III and IV of the Special Committee's report to the General Assembly. The general introductory chapter will be issued under the symbol A/51/23 (Part I). Other chapters of the report will be issued under the symbol A/51/23 (Parts III to VIII). The complete report will be issued as Official Records of the General Assembly, Fifty-first Session, Supplement No. 23 (A/51/23).

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CHAPTER III

DISSEMINATION OF INFORMATION ON DECOLONIZATION

A. Consideration by the Special Committee

1. At its 1454th meeting, on 16 February 1996, by adopting the suggestions relating to the organization of its work put forward by the Chairman (A/AC.109/L.1841), the Special Committee decided, inter alia, to maintain its Subcommittee on Small Territories, Petitions, Information and Assistance and allocated to it specific items for its consideration. The Committee further decided to consider the question of the dissemination of information on decolonization in plenary meetings and meetings of the Subcommittee, as appropriate.

2. The Special Committee considered the question at its 1456th meeting, on 22 July 1996.

3. In its consideration of the question, the Special Committee took into account the provisions of the relevant General Assembly resolutions, including, in particular, resolution 50/40 of 6 December 1995 on the dissemination of information on decolonization, and resolution 50/39 of the same date on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

4. At the 1456th meeting, the Rapporteur of the Subcommittee on Small Territories, Petitions, Information and Assistance made a statement (see A/AC.109/SR.1456), in which he introduced the report of the Subcommittee (A/AC.109/L.1843), which related, inter alia, to consultations with the representatives of the Department of Public Information and the Department of Political Affairs of the Secretariat, and to the Week of Solidarity with the Peoples of All Colonial Territories Fighting for Freedom, Independence and Human Rights (27-31 May 1996).

5. At its 1456th meeting, the Special Committee adopted without a vote on the draft resolution contained in the report of the Subcommittee (A/AC.109/L.1843, para. 23). At the same meeting, the Committee approved the report as a whole (A/AC.109/L.1843).

6. On 1 August, the text of the resolution (A/AC.109/2063) was transmitted to all States.

B. Decision of the Special Committee

7. The text of the resolution (A/AC.109/2063) adopted by the Special Committee at its 1456th meeting appears in section C below in the form of a recommendation of the Special Committee to the General Assembly.

Week of Solidarity with the Peoples of All Colonial Territories Fighting for Freedom, Independence and Human Rights

8. The report of the Subcommittee on Small Territories, Petitions, Information and Assistance (A/AC.109/L.1843), approved by the Special Committee at its

1456th meeting, contained the following statement made by the Chairman of the Subcommittee on the occasion of the Week of Solidarity:

Statement made by the Chairman of the Subcommittee on Petitions, Information and Assistance on 14 June 1996 on the Week of Solidarity

"Since 1972, in accordance with General Assembly resolution 2911 (XXVII), the Governments and peoples of the world have been observing annually a Week of Solidarity with the Peoples of All Colonial Territories. This celebration is in full accord with the purposes and tenets embodied in the Charter of the United Nations and is in conformity with the principles enshrined in the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV).

"Today, when our Organization takes a closer look at its achievements, its success in the field of decolonization is universally recognized. Hundreds of millions gained their freedom and independence in the surge of decolonization following the creation of the United Nations. Their membership in the United Nations as sovereign States strengthened the fundamental basis of the international community.

"We remember the history of the struggles against colonialism and pay tribute to all those who took part in them. We remain mindful of the sacrifices that made it possible for hundreds of millions of people to achieve self-determination and independence.

"However important the success in the field of decolonization, the task is still unfinished in that area and requires further concerted and determined action on the part of all those involved. There are still peoples who have not been able to exercise their right to self-determination. These are mostly peoples of small island Non-Self-Governing Territories located mainly in the Pacific and Caribbean regions. They are confronted, inter alia, by problems of their small size, low population, geographic remoteness, limited natural resources and vulnerability to natural disasters. Their situations require new and innovative solutions geared towards the implementation of the International Decade for the Eradication of Colonialism launched by the General Assembly in 1988.

"Convinced as we are that in the decolonization process there is no alternative to the principle of self-determination, we once again reiterate the legitimacy of all options of self-determination consistent with General Assembly resolutions 1514 (XV) and 1541 (XV) as long as it is ascertained that they are the freely expressed wishes of the peoples concerned. We should continue to exercise flexibility and realism in our endeavours to complete the process of decolonization. The wishes of the peoples of the Non-Self-Governing Territories should not be ignored when examining once again the options of self-determination available to them.

"In that connection, we further appeal for the strengthened and continued support of the administering Powers, whose cooperation with the Special Committee is essential for the progress of the Territories towards self-determination. We count on the support of the specialized agencies, which should continue to assist the Non-Self-Governing Territories in enhancing their standard of living and promoting their self-sufficiency. We count on regional and international organizations, which should explore

new avenues to provide the Non-Self-Governing Territories with legal and political opportunities for participating in programmes that relate to their environment and livelihood. We count on support for our efforts from all Member States and non-governmental organizations.

"We hope and believe that our combined, unrelenting efforts will ensure the fulfilment of the promise for freedom, lasting peace, sustained growth and sustainable development for all the peoples of our planet in accordance with the purposes and principles of the United Nations."

C. Recommendation of the Special Committee

9. In accordance with decisions taken at its 1454th and 1456th meetings, the Special Committee recommends to the General Assembly the adoption of the following draft resolution:

Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization, 1/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular General Assembly resolution 50/40 of 6 December 1995,

Recognizing the need for flexible, practical and innovative approaches towards reviewing the options of self-determination for the peoples of Non-Self-Governing Territories with a view to achieving complete decolonization by the year 2000,

Reiterating the importance of dissemination of information as an instrument for furthering the aims of the Declaration, and mindful of the role of world public opinion in effectively assisting the peoples of Non-Self-Governing Territories to achieve self-determination,

Aware of the role of non-governmental organizations in the dissemination of information on decolonization,

1. Approves the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization;

2. Considers it important to continue its efforts to ensure the widest possible dissemination of information on decolonization, with particular emphasis on the options of self-determination available for the peoples of Non-Self-Governing Territories;

3. Requests the Department of Political Affairs and the Department of Public Information of the Secretariat to take into account the suggestions of the Special Committee to continue their efforts to take measures through all the media available, including publications, radio and television, as well as the Internet, to give publicity to the work of the United Nations in the field of decolonization and, inter alia:

(a) To continue to collect, prepare and disseminate, particularly to the Territories, basic material on the issue of self-determination of the peoples of Non-Self-Governing Territories;

(b) To seek the full cooperation of the administering Powers in the discharge of the tasks referred to above;

(c) To maintain a working relationship with the appropriate regional and intergovernmental organizations, particularly in the Pacific and Caribbean regions, by holding periodic consultations and exchanging information;

(d) To encourage involvement of non-governmental organizations in the dissemination of information on decolonization;

(e) To report to the Special Committee on measures taken in the implementation of the present resolution;

4. Requests all States, including the administering Powers, to continue to extend their cooperation in the dissemination of information referred to in paragraph 2 above;

5. Requests the Special Committee to follow the implementation of the present resolution and to report thereon to the General Assembly at its fifty-second session.

Notes

1/ The present chapter.

CHAPTER IV

QUESTION OF SENDING VISITING MISSIONS TO TERRITORIES

A. Consideration by the Special Committee

1. At its 1454th meeting, on 16 February 1996, by adopting the suggestions relating to the organization of its work put forward by the Chairman (A/AC.109/L.1841), the Special Committee decided to take up the question of sending visiting missions to Territories as appropriate. The Committee further decided that the item should be considered in its plenary meetings and, as appropriate, by its Subcommittee on Small Territories, Petitions, Information and Assistance, in connection with its examination of specific Territories.

2. The Special Committee considered the question at its 1461st meeting, on 24 July 1996.

3. In its consideration of the question, the Special Committee took into account the provisions of the relevant General Assembly resolutions, including, in particular, the pertinent provisions of resolution 50/39 of 6 December 1995 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and resolution 50/38 of the same date, relating to specific Territories. The Committee also considered Assembly resolution 45/33 of 20 November 1990 relating to the thirtieth anniversary of the Declaration.

4. For its consideration of the question, the Special Committee had before it the report of the Acting Chairman (A/AC.109/L.1848) on his consultations with representatives of the administering Powers, undertaken in accordance with paragraph 4 of the resolution adopted by the Committee at its 1442nd meeting, on 10 July 1995. 1/ At the 1461st meeting, the Acting Chairman introduced his report, in which he stated, inter alia, that he had appealed to the administering Powers to cooperate or continue to cooperate with the United Nations for the sending of such missions. It had been the understanding of the Special Committee, from the exchange of views that took place at its regional seminars held in 1990, 1992, 1993, 1995 and 1996, 2/ that some territorial Governments had expressed their willingness to receive United Nations visiting missions.

5. The Acting Chairman reported that he had informed his interlocutors that the Special Committee continued to attach the utmost importance to the cooperation of the administering Powers. Their full cooperation was essential for the successful implementation of the Plan of Action approved by the General Assembly for the International Decade for the Eradication of Colonialism. He had taken the opportunity to express his appreciation to the administering Powers concerned for their cooperation in facilitating the participation of a number of representatives from Non-Self-Governing Territories in the four seminars that the Committee had organized in the context of the Decade.

6. The Acting Chairman also noted with satisfaction that, at the invitation of the Government of New Zealand and the Council of Faipule of Tokelau, the Special Committee had dispatched a United Nations visiting mission to Tokelau in July 1994.

7. As in previous years, the administering Powers consulted had reiterated their willingness to continue to provide all necessary information on the

Territories under their administration in fulfilment of their obligation under Article 73 e of the Charter of the United Nations.

8. The representative of one administering Power had stated that his Government's record on decolonization had been good and that its position with regard to the dispatch of visiting missions to the Territories under its administration had not changed. Those territorial Governments willing to receive visiting missions, however, should first consult with the administering Power concerned. With regard to the concept of decolonization, the representative had said that the Territories under his Government's administration had democratically elected Governments and it was up to them to decide their future status. So far, none of those Territories had taken any action with regard to their future status.

9. The representatives of two administering Powers had stated that they remained open to any suggestions by local Governments in the Territories concerned regarding their readiness to receive United Nations visiting missions. The representatives had made reference to their respective communications 3/ informing the United Nations that they would stop participating in the work of the Special Committee and had indicated that they did not foresee a change of policy in that regard. However, they had reiterated the commitment of their Governments to fulfil their obligation concerning transmission of information under Article 73 e of the Charter.

10. The representative of New Zealand had reiterated the readiness of his Government to continue, in accordance with established practice and procedure, to provide the Committee with all relevant information on Tokelau and to participate in the related work of the Special Committee. The representative had expressed the hope that in view of the current constitutional developments in Tokelau it would be possible for the people of the Territory to decide soon on their future status, according to their own time-frame.

11. At the 1461st meeting, the Acting Chairman drew attention to a draft resolution on the question (A/AC.109/L.1849).

12. At the same meeting, the representative of Cuba, supported by Papua New Guinea, proposed the following amendments to draft resolution A/AC.109/L.1849:

(a) The insertion of a new preambular paragraph before the last preambular paragraph, reading:

"Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory of Guam, noting the recommendation of the 1996 Pacific Regional Seminar to send a visiting mission to Guam, and taking note of resolution 464 (LS) adopted on 19 July 1996 by the twenty-third Guam legislature which requested the dispatch of a United Nations visiting mission to that Territory";

(b) The addition of a new operative paragraph 5, reading:

"5. Also requests its Chairman to enter into consultations with the administering Power of Guam with a view to facilitating the dispatch of a United Nations visiting mission to that Territory."

13. The Committee adopted the amendments without objection.

14. The Special Committee then adopted draft resolution A/AC.109/L.1849, as orally amended (see para. 18).

15. On 1 August, the text of the resolution (A/AC.109/2067) was transmitted to the representatives of the administering Powers concerned for the attention of their respective Governments.

16. In addition to the consideration of this question in the plenary meetings of the Special Committee, the Subcommittee on Small Territories, Petitions, Information and Assistance considered the specific Territories referred to it, taking into account the relevant provisions of the General Assembly resolutions mentioned in paragraph 3, as well as previous decisions of the Committee relating to the question.

17. By approving the report of the Subcommittee (A/AC.109/L.1843), the Special Committee endorsed a number of conclusions and recommendations concerning the sending of visiting missions to Territories, as reflected in chapter X of the present report (A/51/23 (Part VI)), relating to American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, St. Helena, the Turks and Caicos Islands and the United States Virgin Islands.

B. Decision of the Special Committee

18. The text of the resolution (A/AC.109/2067) adopted by the Special Committee at its 1461st meeting is reproduced below:

The Special Committee,

Having considered the question of sending visiting missions to Territories,

Having examined the report of the Acting Chairman on the question, 4/

Recalling the relevant resolutions and decisions of the General Assembly and the Special Committee requesting the administering Powers to cooperate fully with the United Nations by receiving visiting missions in the Territories under their administration,

Mindful that United Nations visiting missions provide a means of assessing the situation in those Territories and of ascertaining the wishes and aspirations of the peoples thereof regarding their future status,

Conscious that United Nations visiting missions enhance the capacity of the United Nations to assist the peoples of Non-Self-Governing Territories in attaining the objectives set forth in the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, and in other relevant resolutions of the Assembly,

Noting with appreciation that, at the invitation of the Government of New Zealand, a visiting mission was dispatched to Tokelau in July 1994, 5/

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory of Guam, noting the recommendation of the 1996 Pacific Regional Seminar to send a visiting mission to Guam, 6/ and taking note of resolution 464 (LS) adopted on 19 July 1996 by the twenty-third Guam legislature which requested the dispatch of a United Nations visiting mission to that Territory,

Noting with regret that some administering Powers do not participate in the work of the Special Committee,

1. Stresses the need to dispatch periodic visiting missions to Non-Self-Governing Territories in order to facilitate the full, speedy and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with respect to those Territories;

2. Calls upon the administering Powers to cooperate or continue to cooperate with the United Nations by receiving United Nations visiting missions in the Territories under their administration;

3. Requests the administering Powers to consider the new approaches in the work of the Special Committee and calls on them to cooperate with the Committee in its efforts;

4. Requests its Chairman to continue consultations with the administering Powers concerned on the implementation of paragraph 2 of the present resolution and to report thereon to the Special Committee as appropriate;

5. Also requests its Chairman to enter into consultations with the administering Power of Guam with a view to facilitating the dispatch of a United Nations visiting mission to that Territory.

Notes

1/ See A/50/23 (Part II), chap. IV, para. 20. The complete report of the Special Committee is to be issued as Official Records of the General Assembly, Fiftieth Session, Supplement No. 23 (A/50/23).

2/ Regional seminars held in 1990 in Vanuatu (A/AC.109/1040 and Corr.1) and Barbados (A/AC.109/1043); in 1992 in Grenada (A/AC.109/1114); in 1993 in Papua New Guinea (A/AC.109/1159); in 1995 in Trinidad and Tobago (A/AC.109/2030); and in 1996 in Papua New Guinea (A/AC.109/2058). The first two were held in observance of the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples; the last four were held in the context of the Plan of Action for the International Decade for the Eradication of Colonialism.

3/ Official Records of the General Assembly, Forty-first Session, Supplement No. 23 (A/41/23), chap. I, paras. 76 and 77, and A/47/86.

4/ A/AC.109/L.1848.

5/ See A/AC.109/2009.

6/ See A/AC.109/2058, para. 33.